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Serisier, Tanya (2018) Speaking out, and beginning to be heard: Feminism, survivor narratives and representations of rape in the 1980s. *Continuum: Journal of Media and Cultural Studies* 32 (1), pp. 52-61. ISSN 1030-4312.

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Speaking Out, and Beginning to be Heard: Feminism, Survivor Narratives and Representations of Rape in the 1980s

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Word count: 6319

Speaking Out, and Beginning to be Heard: Feminism, Survivor Narratives and Representations of Rape in the 1980s

Abstract: This article challenges common conceptions of the 1980s as simply a period of ‘backlash’ for feminism. Instead it argues that remediatory cultural activism by feminists shifted discussion and understandings of rape in this decade in complex and contradictory ways. While more space was given to feminist and survivor voices, survivors continued to be denied cultural authority. In addition, a lack of intersectional awareness allowed feminist understandings of rape to be incorporated within criminal justice discourses. The article illustrates these arguments through a 1990 media event, the publication by the *Des Moines Register* (Iowa) of a five-day series based on the experiences of a local rape survivor, Nancy Ziegenmeyer. The series was made possible through cultural antecedents, such as actor Kelly McGillis’ public disclosure of her own rape as part of the publicity for the avowedly feminist rape film, *The Accused*, and academic and Democratic political figure Susan Estrich’s writing about her own rape prior to becoming the manager of Michael Dukakis’ failed 1988 election bid. Consideration of three media events help to outline the complex cultural legacy left by feminist media activism around sexual violence in this decade.

Keywords: feminism; rape; 1980s; backlash; speaking out; survivors.

These days, the public testimony of courageous rape victims like Susan Estrich, Michael Dukakis’ Presidential campaign manager, or actress Kelly McGillis is beginning to have [some] effect...

I urge women who have suffered this awful crime, and attendant injustice to speak out, as a few are beginning to do, and identify themselves.

On July 11, 1989, Geneva Overholser published an editorial in the *Des Moines Register*, the major newspaper of Iowa, titled ‘American Shame: The Stigma of Rape’. Writing as an ‘editor and feminist’, she bemoaned the ongoing stigma that necessitated journalistic ‘silences’ and ‘taboos’, such as not naming victims, in rape reporting. The editorial spoke admiringly of Susan Estrich, an academic and manager of the 1988

Democratic Presidential campaign, who had written about her own experience of rape in her prominent feminist legal text, *Real Rape*, and of Kelly McGillis, a well-known actor who spoke publicly about being raped as part of media promotion for the 1988 film, *The Accused*. Drawing on these examples, Overholser declared that rape stigma could only be overcome by more survivors coming forward and speaking out publicly.

Three weeks later, Overholser was contacted by Iowa resident and rape survivor Nancy Ziegenmeyer. Ziegenmeyer had been abducted and raped by a man who forced his way into her car early on the morning of November 19, 1988 while she was studying for a real estate exam. Ziegenmeyer agreed that *The Register* could report on her experience of the rape, its aftermath, and the ongoing criminal trial of her rapist. Following the trial's conclusion, *The Register* published a five-day front-page series, 'It Couldn't Happen to Me: One Woman's Story', from February 25 to March 1 1990. The series began with Ziegenmeyer's account of the morning of the rape and ended with her response to the assailant's criminal conviction. The series, described by Overholser as 'troubling, but important' in an accompanying editorial, was written in the standard journalistic first-person. However, the paper insisted that the story, based on 'more than 50 meetings and telephone interviews', was primarily a chronicle of Ziegenmeyer's perspective and experience. It was, the paper proclaimed in the introduction to the series, 'a victim's story', and the first time that a mainstream newspaper chronicled in detail the story of a rape survivor, identified by name and by photographs. The series became a media event, and was reproduced both nationally and internationally by papers including the *New York Times*, *The Guardian* in the UK and *The Age* in Australia. The journalist, Jane Schorer, received a Pulitzer prize for 'public service' and Overholser and Ziegenmeyer were both honoured with awards from the prominent feminist organisation NOW (National Organization for Women). Ziegenmeyer became a public figure for several years following the series; she appeared frequently in local

and national news as a survivor advocate, was the subject of a television ‘movie of the week’, and published a memoir, *Taking Back My Life* (Plummer 1995; Ziegenmeyer and Warren 1992).

This story offers a point of entry for rethinking the legacy of the 1980s for contemporary anti-rape and feminist politics. It complicates models of the 1980s as a period simply of ‘backlash’ against feminist politics and discourse, by drawing attention to significant feminist success in intervening in the cultural and media landscape surrounding rape during this decade. My project here is to trace the 1980s as a period that saw significant shifts in what Overholser had described as ‘rape stigma’ as well as increasing public recognition of rape as a social problem. By the late 1980s, ideas around the seriousness of rape as a gendered crime and a particularly traumatic experience for victims had lost much of their ‘oppositional charge’ and instead ‘become part of many people’s, not just a minority’s, common sense’ (Winship 1987, 149). So, too, had the idea that it was important for victims and survivors to speak out about their experiences. This article examines *The Register* series as part of this wider cultural movement by discussing it in relation to the media events surrounding Kelly McGillis and Susan Estrich, the antecedents cited admiringly by Overholser.

McGillis’ revelation to *People* magazine was part of the promotional work she undertook for the film, *The Accused*, in which she played a middle-class attorney prosecuting a rape case. Her character represents Sarah Tobias (played by Jodie Foster), a working-class victim initially considered too ‘disreputable’ to testify successfully in court. Seeking to challenge cultural stereotypes and victim-blaming, the film marketed itself as a feminist cultural intervention. At its conclusion, the film presents audiences with statistics on the frequency of rape and the producer, Sherry Lansing, stated that ‘once you see this movie, I doubt that you will ever think of rape the same way again. Those images will stick in your

mind and you will be more sympathetic the next time you hear of somebody being raped' (as quoted in Faludi 1992). Most importantly, the central plot element of the film, a gang rape in a bar with cheering spectators, remediated the famous 1983 'Big Dan's' or New Bedford case, which had received extensive media coverage and been televised live on CNN (Benedict 1992; Cuklanz 1996; Horeck 2004). The victim of the real life case, who was named without her consent in media coverage, was subject to extensive harassment before moving from New Bedford to Miami, where she died shortly thereafter in an alcohol-related car crash. McGillis' revelation of her own rape several years earlier by two men who broke into her apartment also added to the sense that the film was connected to rape as a 'real life' issue, through the authentic voice of a survivor. Unpacking the media representations and retellings of the stories of Ziegenmeyer, McGillis, and the victim in the New Bedford case, helps to draw out the paradoxical politics of authenticity, empowerment and responsibility in media representations of survivors.

Susan Estrich first made her rape public in her book *Real Rape: How the Legal System Victimizes Women Who Say No*, an important feminist critique of the ways in which the legal system and wider society differentiate between victims of 'real' rape by violent strangers and victims of 'simple' or acquaintance rape. The book begins with Estrich's own experience of 'real' rape, and the response of the police and criminal justice system. Noting that the first question she was asked by investigating officer was whether her assailant 'was a crow', slang for African-American, Estrich (1987, 1) argued that her own sympathetic treatment by the legal system was contingent on race, class, and her status as an 'innocent' victim of a criminal stranger. In 1988, Estrich achieved public prominence as the first female campaign manager of a major party's Presidential campaign. Her candidate, Michael Dukakis, a Democrat, was initially the favourite, but lost to George H. W. Bush. The turning point of the campaign revolved around 'Willie Horton,' an African-American prisoner

released on furlough while Dukakis, an opponent of the death penalty, was Governor of Massachusetts. Horton absconded, eventually being caught and convicted for armed robbery, assault, and the rape of a white woman while out of custody. A Republican-affiliated election campaign capitalized on the case to argue that Dukakis was soft on crime, and, in the final Presidential debate, the opening question was directed to Dukakis: "Governor, if Kitty Dukakis were raped and murdered, would you favour an irrevocable death penalty for the killer?" While Dukakis answered that he did not and never had agreed with the death penalty, with the figure of an imaginary black rapist in the background, most commentators agree that the election was irrevocably lost (Newburn and Jones 2005). The connections between Estrich, her work on 'real' rape, the 1988 election and Ziegenmeyer, highlight the continuing significance of race and criminal justice politics in media representations of rape cases and individual survivors.

Taken together, these events allow for a consideration of shifting media representations and treatment of rape survivors, and the complex relationship between discussions of rape, race and the criminal justice system. I argue that the conceptual lens of remediation provides a far better understanding of shifts in representations of rape in this decade than either simple narratives of 'backlash' or progress. I argue that looking again at developments in media accounts of rape in the 1980s offers significant insight into the changing public politics of sexual violence and the complex media presence of feminism.

Remediating Rape in the 1980s

Following Susan Faludi (1992), the 1980s is generally remembered as a period of stagnation or regression for feminism in the United States. This is also true for accounts of anti-rape activism such as Maria Bevacqua's (2000) *Rape on the Public Agenda*, the main political history of feminist anti-rape activism in the US. For instance, the text includes a six-page 'Time Line of Anti-Rape Events,' which devotes only half a page to the 1980s, in

contrast to three and a half pages for the 1970s and two for the 1990s (203-208). This characterisation is, however, complicated by feminist scholarship on rape, media and the politics of representation. Helen Benedict's (1992) classic text, *Virgin or Vamp: How the Press Covers Sex Crimes*, is focused almost entirely on the 1980s, noting the growing media interest in rape cases in this period, even as she criticises ongoing tendencies of sensationalism and victim-blaming. Lisa Cuklanz's (1996) *Rape on Trial* covers several of the same cases, arguing that growing media attention in the 1980s to what she describes as 'issues-oriented rape trials' should be seen as important moments of development in cultural understandings of rape which, in many ways, arise out of feminist activism of the 1970s. Cuklanz (2000) has also elsewhere noted the corresponding growth and development in fictional television treatments of rape in this decade.

The expanded media interest in rape should be understood, at least in part, as consequence of the success of feminist 'discursive activism' around rape (Mendes 2016). Kaitlyn Mendes describes this as a significant but frequently undervalued form of feminist politics which focuses on changing attitudes, perceptions and representations rather than on direct policy outcomes. Primarily, discursive activism seeks to intervene in what Erll (2008, 392) describes as the 'canon of existent media representations' on a topic. This canon shapes 'what is known' about individual events and the social phenomena that underlie them, determining shared cultural understandings. The importance of this kind of cultural contestation is demonstrated by Lynn Higgins and Brenda Silver's (1991, 1) observation that 'who gets to tell the story and whose story counts as "truth" determine the definition of what rape is'.

The media 'canon' that shapes these social truths and understandings is formed and maintained through remediation: the production, reproduction, circulation and dissemination of multiple media representations that rely on each other for their context and meaning

(Bolter and Grusin 1999, 56). It is this process that discursive activism attempts to intervene in, by destabilising existing 'truths' and, ultimately, replacing them with others. This process, however, is never one of absolute rupture, but involves drawing on, reworking and incorporating the existing canon of media representations (Bolter and Grusin 1999, 56). The horizons of possibility for new stories are constrained by the norms and conventions surrounding existing representations (Ewick and Sibley 1995, 208). To be comprehensible in a cultural context requires new narratives to be understandable in terms of these existing norms. In the case of rape, for instance, feminist and survivor activists, must draw on and make use of existing understandings of sexual violence to make sense of and tell their stories in ways that can be understood. Even as they are 'new' stories that tell new truths they must be understandable within the framework of existing common-sense understandings of rape, even if they simultaneously challenge them. This is at the heart of what Erll (2008, 393) identifies as the paradoxical nature of remediation. Despite multiple and even antagonistic representations, cultural remediation tends to solidify certain narratives, confirming their 'common sense' status.

In the remainder of the article, I argue that the complexity of remediation provides a more effective account of the successes, limitations and paradoxes of the anti-rape politics in the 1980s than thinking of the decade as simply one of 'backlash'. Feminist and survivor speech in this period did not only refute dominant narratives and voices but drew upon these narratives and existing institutional and cultural platforms. Kelly McGillis and Susan Estrich, for instance, both made use of existing institutional platforms that allowed them to tell their stories, while constraining their telling through the demands of movie publicity and academic writing respectively. Their stories, in turn, became part of the framework that enabled publication of *The Register* series on Ziegenmeyer's experience, and shaped the way in which that story could be told and understood.

Representing Victims: Empowerment and Erasure

Overholser's editorial calling on rape survivors to come forward and publicly identify themselves was part of a recurring debate in the 1980s about media naming and identification of rape victims. The dominant view taken by most media outlets, and a majority of feminist commentators, remained in favor of anonymity, recognizing that both court proceedings and media coverage remained highly focused on victims, who were often blamed for the attacks committed against them. Arguments in favor of naming victims, however, included public interest and a concern that granting anonymity to alleged victims was prejudicial to the accused. These arguments increasingly sat alongside the position of a minority of feminists, including Overholser, that not naming rape victims perpetuated rape stigma, although, most, like Overholser, continued to see anonymity as regrettable but necessary (Benedict 1992).

'Feminist' arguments, like Overholser's, in favor of women identifying themselves, drew on the longstanding feminist commitment survivors telling their stories or 'speaking out'. These speech acts were seen to perform a triple function: for the women who spoke they were an act of empowerment, reclaiming their autonomy and reforming their subjectivity as a heroic activist and speaker rather than a silenced victim; for other survivors they offered the comfort of knowing they were not alone, and the inspiration that they might also speak publicly of their experience; and, through presenting the experiential reality of victims, they challenged widely held social myths and sexist and victim-blaming attitudes about rape (Serisier 2007). Nancy Ziegenmeyer's account of her decision to speak out publicly fits this model. She attended a panel discussion about media coverage of crime and became so frustrated at the discussion of 'theoretical' victims that, 'almost without knowing I was about to do it, I raised my hand and stood up'. Her fear of exposure was outweighed by her conviction that 'what I was saying was important for them to hear' and that 'it was important for me to say it' (Ziegenmeyer and Warren 1992, 109). The applause that followed her

intervention gave her a sense of empowerment and confirmed her sense of making a social contribution. The most important element of this contribution for Ziegenmeyer was helping other survivors. In the months following *The Register* series she received ‘more phone calls, more letters’ from ‘women who had never told anyone’ about their own experiences of sexual violence. She concludes: ‘It was simply the most amazing thing I had ever seen.’ (148-9). Two years earlier, Kelly McGillis (1988, 155) similarly told *People* magazine that other survivors were at the heart of her decision. She was, she said, motivated by a desire to ‘help the people who haven't talked about their experiences’.

These three functions do not, however, always align so neatly, as Ziegenmeyer explains in her memoir. When she asked Overholser for the right to read and approve the series, she was shocked to be told that ‘news sources’ did not have access to articles prior to publication: ‘I simply couldn’t believe that I didn’t have access to something I basically saw as mine. My life, my family, my rape. How could the story not be mine?’ (Ziegenmeyer and Warren 1992, 145). There is a contradiction here between the paper’s promotion of the series as ‘a victim’s story’ and Ziegenmeyer’s reduction to a news source rather than its authoritative teller. The narrative, presented as Ziegenmeyer’s, is in fact Schorer’s rewriting of Ziegenmeyer’s account, shaped by newspaper editing and given context and meaning through Overholser’s editorial. This process echoes Alcoff and Gray’s (1993) critical analysis of media treatment of survivors of sexual violence. Focusing on television talk shows, Alcoff and Gray describe how survivors are denied the status of experts on their own experience, and instead find their contribution limited to providing the ‘raw material of experience’ for others to interpret and explain.

While television talk shows are widely understood as an exploitative medium, this example shows that the emancipatory benefits of speech for survivors can also be subordinated to feminist goals of changing public attitudes. When Overholser (1989) claims

in her editorial that that ‘we will not break down the stigma until more and more women take public stands’, the implication is that survivors who do not speak are shirking their responsibility and, ultimately, can be held responsible for the continuation of stigma. This logic is taken even further in McGillis’ (1988, 156) interview with *People* magazine, where she asserts that ‘cowardly’ silence on the part of rape victims is ‘like saying, "Go ahead, assault me, because nothing is going to happen to you.”’ As she continues:

The thing I feel most passionate about is that victims talk and seek help. By not coming forward and trying to prosecute, you are making yourself a victim forever. You are allowing someone to change the rest of your life with one awful, ugly, horrifying deed.

Ultimately, then, this logic is a shift from seeing survivors who do speak as heroic to seeing those who do not as bearing a disproportionate level of blame for their own and other women’s victimization. It operates as a coercive imperative on survivors to speak even as it gives feminist interlocutors such as Overholser the authority to shape their narratives and treat them as mere source material.

It is significant then that Overholser’s original editorial was framed around media decisions about naming survivors rather than providing platforms for them to speak. While the latter would position a self-described ‘feminist and editor’ as aligned with survivors aiming to reform media practices, the former aligns feminists and media professionals in positions of power over survivors. The ‘feminist’ is imagined here not as the survivor who speaks, but the filmmaker or editor who advocates on her behalf. While Overholser acknowledges that to support the naming of rape victims cannot mean sacrificing ‘today’s unwilling victims for long-term good’, she does not linger on the ways in which public naming of victims is very different from enabling survivors to tell their own story. By only

citing examples of survivors who have chosen to speak out, Overholser obscures the fact that ‘naming’ is a practice of coercive identification of survivors that restricts rather than enhances their agency, often directly furthering their victimisation. Effectively, this minimizes the consequences and risks for survivors of speaking out, and erases the fact that, socially, such risks are unevenly distributed.

An example of these risks is the story of the victim in the Big Dan’s case, which can be read as an ‘eloquent argument for victims not to tell their stories’ (Cuklanz 1996, 161). Her cross-examination, broadcast live through CNN, demonstrated the humiliation and victim-blaming that many victims experience in the courtroom. Her requests for anonymity were ignored by many local and national media services, including CNN, and she and her family complained of harassment from media and, as a result of the coverage, from the local community. She suffered severe mental health problems as a result of the attack and subsequent trial, and was forced to leave New Bedford for Miami. She died two years later in a drunk driving accident widely believed to have resulted from an alcohol problem associated with the trauma of the assault and trial (Benedict 1992; Cuklanz 1996). *The Accused*, in its remediation of the case, removes the invasive media harassment, and the aftermath of the victim’s experience. It thus reduces the complexity of the case, enabling a triumphant conclusion as the men who cheered on the assault are convicted. This re-framing sidesteps consideration of the ongoing costs of speaking out for its protagonist.

The publicity surrounding the film further erased the victim, even as it relied on her story as ‘source material’ to authorize its claim to be more than just a movie. Consistently, her experience was over-written by the experiences of the actors in the film, as in reports that Foster was so affected by the rape scene that she ‘blacked out – as if for real’ (Read 2000). It was, however, the real-life experience of McGillis that more commonly replaced that of the original victim. This is seen perhaps most clearly in a review of the film, published in *Today*

magazine, and titled 'This is My Revenge Against the Animals Who Raped Me', with the subject of the sentence being McGillis (Read 2000, 4). As with the *Des Moines Register* series, the victim who enables the telling of an authentic and representative feminist story is de-centred or erased at the point of telling. Even as these avowedly feminist media products highlight the experiences of victims they re-inscribe them within narratives that reduce them to a 'source' of news or narrative in order to tell a representative 'victim's story'.

'Real' Rape, Race and Criminal Justice

The desire to produce a 'representative' story is further complicated by the fact that different rape narratives do not carry the same cultural meanings or generate the same responses. This point was made forcefully by Susan Estrich (1987), in her book, *Real Rape*, which begins with an account of her experience of being sexually assaulted by a stranger while unpacking groceries from her car in the mid-afternoon. As a white woman violently attacked by a black stranger while undertaking responsible domestic duties, Estrich finds herself not only believed, but valorised within the criminal justice system. This is because she has experienced what she calls a 'real rape' – a sexual assault which fits popular and criminal justice expectations of rape as perpetrated by a stranger on an 'innocent' victim. She contrasts this with the vast majority of rape victims who experience 'simple' or acquaintance rapes – that is, attacks that occur in private by someone known to the victim, often involving some combination of factors like alcohol consumption, flirtation or other 'irresponsible' behaviour on the part of the victim, and in which victims are frequently blamed and the violence against them minimized or excused.

Ziegenmeyer's experience, as a white woman attacked by a black stranger while performing a respectable task, was a quintessential 'real' rape. The racial politics were acknowledged in Overholser's (1990, 19) editorial introduction to the series, but only in a

‘final point’ at the end of the column after other, presumably more significant issues, had been addressed:

One of the sad facts of this rape case is that the woman is white, the man black.

This, unhappily, perpetuates a stereotype that is utterly contrary to fact. The most recent statistics on rape in Iowa show 7 percent of offenders in sexual-assault cases are black. Nationally, only 4 percent of rape cases involve a black man and a white woman. While race was an issue in this particular crime, as some parts of the story show, there is no truth to the cruel stereotype.

Discussion of race is similarly deferred in the series. The initial description of Ziegenmeyer’s assailant, published on the first day, describes him as ‘a man, probably in his late 20s, wearing a navy pinstriped suit’, and notes that ‘he smelled of alcohol’. Race is only introduced indirectly, and its introduction is made the responsibility of the perpetrator: ‘He talked about white people, and about how his father had been killed by a white man. He talked about how his sister had been raped by a white man. He talked about slavery and the things that white people did to black slaves’ (Schorer 1990c, 6). The perpetrator is presented as talking exclusively about race, asking Ziegenmeyer if she has ever had sex with a black man and calling her a ‘white bitch’ when she tells him that she voted for Bush in the recent election. In contrast, the series almost entirely avoids speaking of race. Race returns to the narrative in the fourth instalment, in the form of Charles Stuart, a man who, as contemporary readers would have been aware, was infamous for committing suicide once authorities determined he had shot his pregnant wife and then tried to blame the crime on a black man. The news is introduced in the article with the comment, ‘why did Charles Stuart have to pull this crazy stunt *now*?’ followed by Ziegenmeyer’s ‘weary’ reassertion that her case has nothing to do with race, but only with justice (Schorer 1990b, 6). In keeping with its

presentation of race as a distraction or diversion, the article later notes that the defence lawyer draws on the Stuart case in his unsuccessful attempt to convince the all-white jury that this is a case of mistaken identity. The reluctance to narrate race directly, or to accept it as a legitimate element of the narrative, can be read within a history of feminist tendencies to remove race from the history of rape by insisting on the primacy of gender. In this narrative, while race must be acknowledged as a social category, it can also be relegated to the margins, as just 'one more thing' or as a distraction. Kirsten Bumiller (2008) describes this as a feminist attempt to impose a model of gender universalism on rape narratives, marginalising race from the 'real' narrative of gendered violence.

Despite these attempts to remediate race out of the narrative, it remained a controversial element of the story. The *New York Times* reported on March 25, 1990, that at least one newspaper had abandoned plans to reprint the series because of its troubling racial politics. Several letters to the editor, published in *The Register* on March 7, also focused on race and racism. One complained that the paper 'too easily dismisses the under- and overtones of this black on white rape', noting that Georgia had executed 'more than 400' black men convicted of raping white women (but no white men convicted of raping black women) and that incarceration rates of black men in the US came second only to those in South Africa, fuelled in part by the myth of black men as rapists. The letter concluded with a reference to the recent election campaign: 'Given that politicians like George Bush can win office by making Willie Horton a household word, it looks like we've got a long road ahead of us...' (Brown *et al.* 1990). While Overholser's discussion of Susan Estrich as a Presidential campaign manager had, in keeping with the avoidance of race, omitted the events surrounding Willie Horton, this letter makes clear that they formed an important component of the reception and understanding of the series.

The 1988 Presidential election, and the ‘Willie Horton’ media event at its centre has been identified as a founding moment in the production of ‘penal populism’, a form of politics pursued in the US and elsewhere, where being perceived as ‘tough on crime’ was understood as fundamental to electoral success (Newburn and Jones 2005). In the election and beyond, this discourse highlighted connections in the political imaginary between rape, race and the growing political significance of victim’s rights discourses and ‘law and order’ politics. Ziegenmeyer’s series can be read as part of this emergent discourse, with significant attention devoted to the need for the criminal justice system to be made more ‘victim-friendly’. The headlines on days three and four, ‘Months Drag On; No Trial: “Is This Really Worth It?”’ and ‘Learning to Cope – With Pain and the Legal System’, exemplify this framing, as can the space given to Ziegenmeyer’s criticisms of the legal system. Some of these reflect long-standing feminist critiques of the way in which rape trials function as ‘pornographic vignettes’ re-victimising victims through sexualized discussion of their bodies and clothing (Smart 1989, 38). Or, in Ziegenmeyer’s words: “Do you know what it’s like to sit in a courtroom for four hours and listen to three or four men talk about your ‘panties’? she asked, crying. “Why couldn’t they say ‘undergarments’?” (Schorer 1990b, 6). The overall framing, however, incorporates these critiques within critiques of the ‘lenient treatment of criminals’ within the criminal justice system, in contrast to the indignities suffered by victims: ‘He has a criminal record, but he’s the one with all the rights. I haven’t even had a parking ticket. What about my rights?’ (Schorer 1990b, 6). Within this framing, however, it is clear that Ziegenmeyer’s experience of court does not accord with feminist critiques of victim-blaming or the treatment of rape survivors as witnesses. Ziegenmeyer reflects that the defence lawyer ‘really hadn’t been too hard on her’ in cross-examination after he approaches her to apologize for what happened to her and explain that he is just doing his job (Schorer 1990a, 9). The Judge also approaches and congratulates Ziegenmeyer following the guilty

verdict, a gesture that the paper notes 'surprised' court regulars, but which receives no further comment (Schorer 1990a, 9).

This relatively positive experience could have been explained, drawing on Estrich (1987), as reflecting the case's status as a 'real' rape and, particularly, as an interracial assault with a black perpetrator and white victim. While classic feminist analyses have focused on the ways in which women's narratives of rape have been disbelieved, denied and erased, by the late 1980s, critics such as Angela Davis (1983) had drawn attention to the way in which these cases are more likely to be met with immediate and lasting credulity and outrage, even where accompanying evidence is lacking or contradictory. However, the series' denial of the significance of race, and its editorial framing of the Criminal Justice System from a 'victim's rights' perspectives prevents it from providing this kind of context. Within the explanatory tools at hand, the narrative offers a vision of a system that, while it needs reform, is fundamentally able to deliver justice for survivors of sexual assault.

But it leaves open the question of which victims are able to access this type of justice. Feminist demands for rape to be treated like any other crime, which underlie to some extent the arguments around the naming of rape victims, have very different consequences for 'real' and 'simple' rapes. Too often, arguments for treating rape as any other crime have meant to asserting the primacy of criminal justice discourses for understanding rape, where rape is a crime committed against innocent victims by criminal strangers. An approach like this, based on examples of 'real' rape, without highlighting their exception nature, risks furthering the cultural erasure and denial of the majority of 'simple' rapes. While Ziegenmeyer's story is important, and her decision to step forward courageous, her decision may have been different if her rape less clearly fulfilled the criteria of a 'real rape,' or if her own status as a 'legitimate' victim was more open to questioning.

Conclusion

The 1980s was a decade of significant change for representations of rape, and the cultural presence of survivors and their stories. The five-day series profiling Nancy Ziegenmeyer's experience, and its treatment as a significant media event internationally, is testament to the increasing influence of feminist-inflected narratives within mainstream media, and, consequently, increasing recognition of survivor narratives. Tracing the connections between this and the earlier narratives of Kelly McGillis and Susan Estrich provides insights into the complex media environment surrounding rape in the 1980s. It shows that the presence of feminism in 1980s popular culture was 'much richer, more diverse and contradictory' than is presented in the widely accepted characterization of the era as a period of 'backlash' (Winship 1987, 149).

The characterisation of the 1980s as a period of 'backlash' is based, in part, on forgetting the legacy of feminist and survivor media activism of this era. However, in a contemporary context in which cultural attention has been refocused on sexual violence through the proliferating phenomenon of survivors speaking out on social media, remembering and re-thinking these events is particularly useful. In remembering these events they are inevitably 'modelled, reinvented and reconstructed' by the perspective of the present (Assman 1997, 9). From this perspective they might be seen as offering a resource for critical understanding that can be drawn on in contemporary debates and discussions of survivor discourse, and the potential it offers to achieve social and cultural change.

Feminist discursive activism in the 1980s shifted rape from a marginal concern to one of significant interest for mainstream media. In turn, this shift helped to grant increasing authority to anti-rape feminism, and open space for survivor voices. However, this process of remediation produced contradictory, partial and complex shifts, both in representations of survivors and in understandings of the reality of rape. The presence of survivor voices in

mainstream media undoubtedly grew in this period, but they and their stories were still subject to objectification, being reduced to 'raw material' or a 'news source' for others to interpret and explain. Significantly, this over-writing of survivor narratives also occurred as part of feminist attempts to remediate understandings of rape, as is shown in Nancy Ziegenmeyer's experience with the *Des Moines Register*, but also in the remediation of the 'Big Dan' rape case by the self-consciously feminist film *The Accused*. In this case, aspects of the original story that did not fit the desired narrative, such as the risks of speaking out and the harms associated with media attention, were erased from the film, and not included in the experiential narrative presented by McGillis.

Feminist activists in this period were far more successful in gaining sympathetic media attention for survivors of stereotypical 'real' rapes than they were in using survivor narratives to contest the denial and victim-blaming associated with 'simple' or acquaintance rapes (Estrich 1987). The restriction of popular survivor narratives to cases of real rape, and particularly cases of white women raped by black men, allowed feminists and survivors to make use of existing cultural fears to generate media attention and public sympathy.

However, as the 1988 election campaign demonstrated, these same fears of black men as potential criminals and rapists were simultaneously being drawn on by the emergent discourses of penal populism and 'victims rights', both of which promoted more police and harsher sentencing as solutions to sexual violence. While feminists such as Susan Estrich critiqued these biases and misrepresentations, the politics of feminism and law and order were largely presented as fundamentally compatible in the media examples shown here.

Rape and sexual violence remain endemic problems, common sense understandings of rape that blame and shame victims, and marginalise their narratives, persist. This continues to be disproportionately true for survivors of 'simple' or acquaintance rape. The project of feminist contestation of these norms remains urgent. However, the complexities of the 1980s

demonstrate that simply ‘speaking out’ cannot be the totality of feminist discursive activism around rape. The transformative potential of survivor speech is shaped not only by what survivors say, but the circumstances under which they are heard, and the relationship of feminist politics to other discourses. There is therefore still much to learn from the cultural politics of the late 1980s about the perils and possibilities that continue to face survivors and feminist activists today.

Acknowledgements

The author would like to thank the editors, Samantha Thrift and Elizabeth Groeneveld for their assistance in developing and shaping the article, and the anonymous reviewers for their very helpful suggestions for improvement.

Bibliography

- Alcoff, Linda and Laura Gray. 1993. “Survivor discourse: Transgression or recuperation?” *Signs: Journal of Women in Culture and Society* 18 (2): 260-90.
- Assmann, Jan. 1997. *Moses the Egyptian: The memory of Egypt in Western monotheism*. Cambridge: Harvard University Press.
- Benedict, Helen. 1992. *Virgin or vamp: How the press covers sex crimes*. New York: Oxford University Press.
- Bevacqua, Maria. 2000. *Rape on the public agenda: Feminism and the politics of sexual assault*. Boston: Northeastern University Press.
- Bolter, Jay David, and Richard Grusin. 1999. *Remediation: Understanding new media*. Cambridge: MIT Press.
- Brown, Howard, B.H. Kruse, John Krieg and Phyllis Goodman. 1990. “Did series rout apathy or just arouse racism?” *The Des Moines Register*, March 4.
- Bumiller, Kristen. 2008. *In an abusive state: How neoliberalism appropriated the feminist movement against sexual violence*. Durham: Duke University Press.
- Cuklanz, Lisa. 1996. *Rape on trial: How the mass media construct legal reform and social change*. Philadelphia: University of Pennsylvania Press.
- Cuklanz, Lisa. 2000. *Rape on prime time: Television, masculinity, and sexual violence*. Philadelphia: University of Pennsylvania Press.

- Davis, Angela. 1983. *Women Race and Class*. New York: Vintage Books.
- Erll, Astrid. 2008. "Literature, film and the mediality of cultural memory". In *Cultural Memory Studies: An International and Interdisciplinary Handbook* edited by Astrid Erll and Ansgar Nünning. Berlin: Walter de Gruyter.
- Erll, Astrid and Ann Rigney. 2009. "Introduction". In *Mediation, Remediation and the Dynamics of Cultural Memory* edited by Astrid Erll and Ann Rigney. Berlin: Walter de Gruyter.
- Estrich, Susan. 1987. *Real rape: How the legal system victimizes women who say no*. Cambridge: Harvard University Press.
- Ewick, Patricia, and Susan S. Sibley. 1995. "Subversive Stories and Hegemonic Tales: Toward a Sociology of Narrative." *Law and Society Review* 29 (2): 197-226.
- Faludi, Susan. 1992. *Backlash: The undeclared war against women*. London: Vintage.
- Higgins, Lynn, and Brenda Silver. 1991. "Introduction." In *Rape and representation* edited by Lynn Higgins and Brenda Silver. New York: Columbia University Press.
- Horeck, Tanya. 2004. *Public rape: Representing violation in fiction and film*. London & New York: Routledge.
- McGillis, Kelly. 1988. "Memoir of a brief time in hell." *People*, November 14.
- Mendes, Kaitlynn. 2016. "Discursive activism and counter-memories of slutwalk." In *The past in visual culture: Essays on memory, nostalgia and the media*, edited by Jilly Kay and Caitlin Shaw. London: McFarland.
- Overholser, Geneva. 1989. "American shame: The stigma of rape." *The Des Moines Register*, July 11.
- Overholser, Geneva. 1990. "Troubling, but important, series." *The Des Moines Register*, February 25.
- Newburn, Tim, and Tim Jones. 2005. "Symbolic politics and penal populism: The long shadow of Willie Horton." *Crime Media Culture* 1 (1): 72-87.
- Plummer, Ken. 1995. *Telling sexual stories: Power, change and social worlds*. London: Routledge.
- Read, Jacinda. 2000. "Popular film/popular feminism: The critical reception of the rape-revenge film." *Scope: an online journal of film studies*. January.
- Schorer, Jane. 1990a. "It couldn't happen to me: One woman's story - And finally, the trial begins." *The Des Moines Register*, March 1.
- Schorer, Jane. 1990b. "It couldn't happen to me: One woman's story - Learning to cope - with pain and the legal system." *The Des Moines Register*, February 28.

- Schorer, Jane. 1990c. "It couldn't happen to me: One woman's story - staring down the cruel stigma of rape." *The Des Moines Register*, February 25.
- Serisier, Tanya. 2007. "Speaking out against rape: Feminist (her)stories and anti-rape politics." *Lilith*, 16: 84-95.
- Smart, Carol. 1989. *Feminism and the power of law*. New York: Routledge.
- Winship, Janice. 1987. *Inside women's magazines*. London: Pandora.
- Ziegenmeyer, Nancy, and Larkin Warren. 1992. *Taking back my life*. New York: Summit.